

REMARKS

Claims 1-5 and 7-13 are pending in the application. It is gratefully acknowledged that Claims 8-13 remain allowed. It is also gratefully acknowledged that Claims 4, 5 and 7 remain objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. The Examiner has rejected Claims 1 and 3 under 35 U.S.C. §102(e) as being anticipated by Odenwalder et al. (U.S. Patent 6,298,051). The Examiner has rejected Claim 2 under 35 U.S.C. §103(a) as being unpatentable over Odenwalder et al. in view of Holtzman et al. (U.S. Patent 6,621,804).

Regarding independent Claim 1, the Examiner states that Odenwalder et al. discloses all of the limitations of Claim 1. Odenwalder et al. discloses a high data rate supplemental channel for a CDMA telecommunications system. Odenwalder et al. does not disclose orthogonal codes, each being a Walsh code with a length of m chips, taking as a root at least one of 4-chip Walsh codes of the first system channels of $W_0^4 = 0000$, $W_1^4 = 0101$, $W_2^4 = 0011$, and $W_3^4 = 0110$, and orthogonal codes of the second system channels, each being a Walsh code with a length shorter than m chips, taking as a root remaining 4-chip Walsh codes excepting the 4-chip Walsh codes assigned to the first system channels. Claim 1 has been amended to include these limitations. Based on at least the foregoing, withdrawal of the rejections is respectfully requested.

Independent Claim 1 is believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2 and 3, these are likewise believed to be allowable by virtue of their dependence on their respective amended independent claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 2 and 3 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-5 and 7-13, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", written over a horizontal line.

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